

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION**

<b>NEBU RE-EL BEY,</b>	:	
	:	
<b>Plaintiff,</b>	:	
	:	<b>NO. 3:10-CV-15 (CDL)</b>
<b>VS.</b>	:	
	:	
<b>WILLIAM MORGAN,</b>	:	
	:	<b>Proceedings Under U.S.C. § 1983</b>
<b>Defendant.</b>	:	<b>Before the U.S. Magistrate Judge</b>
	:	

**RECOMMENDATION TO DISMISS**

Plaintiff Nebu Re-El Bey has filed a pro se civil rights complaint under 42 U.S.C. § 1983. Plaintiff, however, has failed to prosecute his action by failing to give notice to the Clerk of Court of his current address. Accordingly, it is **RECOMMENDED** that this action be **DISMISSED**.

On July 21, 2010, the Court issued an Order providing instructions to the parties in the above-styled action. Doc. 21. In the Order, Plaintiffs were advised that they must diligently prosecute their action or face the possibility that it would be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. The Order also directed the parties to keep the Clerk of Court and all opposing parties advised of their current mailing address at all times, warning that failure to give prompt notice of any address change might result in dismissal of party's pleadings.

Plaintiff has failed to keep the Clerk of Court advised of a current address. On September 1, 2011, the Court entered a Report and Recommendation to grant Defendant William Morgan's Motion to Dismiss The Murakush Society, The Aboriginal Law Firm, and The NA-Petuh Moorish Science Temple as Plaintiffs in this action. Doc. 25. A copy of this Recommendation

was mailed to the only address provided by the Plaintiffs. On September 20, 2011, it was returned to the Court in an envelope marked "Return to Sender-Not Deliverable as Addressed-Unable to Forward." Doc. 20. On September 26, 2011, the Court entered an Order adopting the Report and Recommendation (Doc. 22) and an Order to Show Cause for failing to provide a current valid mailing address (Doc. 23). On October 6, 2011, the Order adopting the Report and Recommendation and the Order to Show cause were returned in an envelope marked "Return to Sender-Not Deliverable as Addressed-Unable to Forward." Doc. 26.

Because Plaintiff has failed to keep the Clerk advised of his current address, the Court has no other choice but to conclude that Plaintiff has abandoned his claims. Accordingly, **IT IS RECOMMENDED** that this action be **DISMISSED** with prejudice. Pursuant to 28 U.S.C. § 636(b)(1), the parties may serve and file written objections to this recommendation with the district judge to whom this case is assigned, **WITHIN FOURTEEN (14) DAYS** after being served with a copy thereof.

Though it may prove to be an exercise in futility, the Clerk is directed to serve Plaintiff at the **LAST ADDRESS** provided by him.

**SO RECOMMENDED**, this 12th day of October, 2011.

s/ Charles H. Weigle  
Charles H. Weigle  
United States Magistrate Judge